

Application No. 09/718,997  
Reply to Office Action dated June 20, 2005

Docker: 6686-15

### REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated June 20, 2005. This response is filed with a Request for Continued Examination and a Request for a Three Month Extension of Time. Authorization is given to charge Deposit Account No. 50-0951 for the appropriate fees.

At the time of the Office Action, claims 1-56 were pending. In the Office Action, claims 1-56 were rejected under 35 U.S.C. §103(a). The rejections are set out in more detail below.

#### I. Teleconference with Examiner

The undersigned counsel thanks examiner Thu Thao Havan for the teleconference courteously granted on July 12, 2005. During the teleconference, the undersigned counsel and the examiner discussed the claims as amended on November 30, 2005 and the novel and non-obvious differences over the art of record. With regard to the claims, it was discussed that the claims recite that the broker both purchases the first property from the user and provides the second property purchase offering. Although a further search may be conducted, the examiner gave favorable comments regarding such an arrangement being novel and non-obvious over the art of record. To the extent an interview statement is required, the entirety of this submission is believed to provide a complete statement under 37 C.F.R. §1.133. See M.P.E.P. §713.01.

#### II. Rejections on Art and Response

Turning now to the rejections on art, claims 1-56 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,684,196 to Mimi et al ("*Mimi*"). As discussed during the teleconference, *Mimi* does not disclose the broker as either purchasing the property or selling the property to the user. Instead, *Mimi* is similar to many real estate transactions where a unique buyer, a unique seller, and two real estate agents are all necessary to sell/purchase one property.

In contrast, independent claim 1 recites a method whereby the user can sell a first property and purchase a second property by only transacting with the broker and without even the existence of a third party seller or buyer, as the broker is both the buyer of the user's first

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property and the seller of the second property to the user. Such a process differentiates from the art of record in that an individual who wishes to sell a property and buy a property can sell a first property to one entity (*i.e.* the broker) and also purchase a second property from the same entity (*i.e.* the broker). Such a situation guarantees the existence of buyer, allowing the seller to sell immediately to free capital for the purchase of a different property.

Applicant respectfully asserts that *Mimi* does not teach or suggest the method as recited in at least the independent claims, and actually teaches away from the recited claims. Accordingly, the independent claims are believed to be allowable over *Mimi*. The dependent claims are believed to be allowable due to dependence on an allowable claim 1 and for further features recited therein.

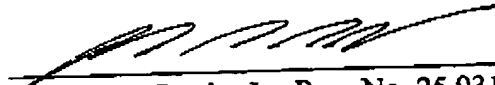
### **III. Conclusion**

Applicant has made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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